IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 13107 of 2004

Between:

1 P.Venkata Ratnam Rao, S/o. P. Chinna Yanadisetty,
O/o. The Executive Engineer (SW), District Scheduled Castes Services Co.operative Society Limited, Auto Nagar, Nellore.
2 J. Karunakar, S/o. J. Chenna Reddy,
D.W.M.A., KADAPA DISTRICT
3 P. Pratap Reddy, S/o. Ramakrishna Reddy,
O/o. District Scheduled Castes Services Co.operative Society Government Hospital Campus, Kadapa. K. Narasimha Moorthy, S/o.K.S uryananrayana,
DSCSCI Limited, Near Police Control Room, Kurnool.
5 B. gopi Chand, S/o. Kondada Rama Naidu,
O/o. DPAP, Chittoor.
6 S. Soma Sekhar, S/o. S. Nellakantappa,
O/o. the Executive Engineer(SW), District Scheduled Castes Services Cooperative Society Limited, Pennar Bhavan, Anantapur.
7 K. Janardhana Reddy, S/o. K. Somalinga Reddy,
O/o. The Executive Engineer (SW), District Scheduled Castes Services Co.operative Scoeity Limited, Kadapa.

... PETITIONERS

AND

1 The Vice Chairman and Managing Director, A.P. Schedules Castes Co-operative Finance Corporation Limited, Masab Tank, Hyderabad.
2 Government of Andhra Pradesh, Rep. by its Principal Secretary,
Social Werlare Department, Secretariat Buildings, Hyderabad.
3 M. Jagga Rao, S/o. Name Not Known,
O/o. The Executive Engineer (SW), District Scheduled Castes Services Co.operative Society Limited, Srikakulam.
4 M. Anil Kumar, S/o. Name Not Known,
O/o. The Executive Engineer, DSCSCS Limited, Medak.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Certiorari calling for all the connected records including the impugned proceedings of 1st respondent Memo.No.A21012/APSC/2004 dated 19-07-2004 and quash the same as illegal, improper, unjust, arbitrary and contrary to law and further direct the first respondent to prepare final seniority list as per rules in vogue which were followed by Government Engineering Wings in the cadre of Deputy Executive Engineers by following the date of appointment in the cadre of Assistant Executive Engineers by following Rule 33(a) & 34 of A.P. State and Subordinate Service Rules and further direct the first respondent to place the petitioners above the 3rd and 4th respondents in the seniority list

Counsel for the Petitioners: MR.K.G.KRISHNA MURTHY

Counsel for the Respondent No.1: MR.M.V.SURESH KUMAR

Counsel for the Respondent No.2: G.P. FOR SOCIAL WELFARE

The Court made the following:

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ORDER:

This writ petition is filed seeking a writ of Certiorari calling for all the connected records including the impugned proceedings of

1st respondent dated 19-07-2004 and quash the same as illegal, arbitrary and contrary to law with a consequential direction to the official respondents to prepare final seniority list as per rules in vogue which were followed by Government Engineering Wings in the cadre of Deputy Executive Engineers by following the date of appointment in the cadre of Assistant Executive Engineers by following Rule 33(a) and 34 of A.P.State and Subordinate Service Rules.

Heard the learned counsel appearing for the petitioners and the respondents.

Learned standing counsel submits that with regard to the impugned proceedings dated 19-07-2004 a large number of Deputy Executive Engineers have filed objections to the seniority list. The matter has been examined by the official respondents and decided to reconsider the whole issue afresh and finalize the seniority list on which there are least objections, hence, the proceedings dated 19-07-2004 have been withdrawn.

A copy of the proceedings dated 04-09-2004 passed by the Vice Chairman and Managing Director, A.P. Scheduled Castes Cooperative Finance Corporation Limited, Hyderabad is made available to this Court, therefore, there is no lis to adjudicate with regard to the proceedings dated 19-07-2004. If there are any objections, on the seniority list to be prepared, leave is granted to the petitioners to challenge the same including the contentions raised in this writ petition.

Accordingly, the writ petition is disposed of. No order as to costs.

K.C. BHANU, J

Dated: 18-07-2005

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To

1 The Vice Chairman and Managing Director, A.P. Schedules Castes Co-operative Finance Corporation Limited, Masab Tank, Hyderabad.
2 The Principal Secretary, Government of Andhra Pradesh, Social Werlare Department, Secretariat Buildings, Hyderabad.
3 Two C.Cs. to the Government Pleader for Sociald Welfare, High Court buildings, Hyderabad. (OUT)

4 Two C.D. copies.